

Introduced by Senator Runner

(Principal coauthor: Assembly Member Richman)

(Coauthor: Assembly Member Huff)

February 16, 2006

An act to add Article 1.5 (commencing with Section 35715) to Chapter 4 of Part 21 of the Education Code, relating to school district reorganization.

LEGISLATIVE COUNSEL'S DIGEST

SB 1326, as introduced, Runner. School districts: reorganization of large districts.

Existing law provides that the process of school district reorganization begins with the submission of a petition, as specified, that is then reviewed by the county superintendent of schools and, if sufficient, forwarded to the county committee on school district organization and State Board of Education for additional review and public hearings. Existing law also authorizes the county committee on school district organization to formulate plans and recommendations for the reorganization of districts. Existing law requires that the reorganization, if approved by the county committee or the State Board of Education, be voted upon during the next available regular election. Existing law requires reorganization plans to meet specified requirements and requires plans for districts with more than 500,000 pupils based on average daily attendance to satisfy additional conditions.

This bill instead would require the reorganization of any unified school district enrolling at least 500,000 pupils into several school districts enrolling no more than 50,000 pupils, by July 1, 2010. This bill would require the establishment of a commission to aid in the reorganization process and would limit its budget to a fixed amount

drawn from the administrative budget for the existing district, without reducing funds used for classroom education. This bill would require the reorganization plan to demonstrate certain conditions have been met, such as that the new districts maintain geographical compactness and community identity; there is an equitable division of facilities and resources; any increase in state costs after the reorganization would be insignificant; and that the new districts would maintain their ability to educate pupils in an environment free of racial or ethnic discrimination, and that the plan complies with constitutional protections against segregation.

This bill would limit administrative costs in the new districts to the percentage of total funds used for those purposes in the existing district 2 years prior to reorganization. This bill would permit pupils from the existing district to attend school in any new district if space is available. This bill would prohibit the existing district from entering into any contract with terms extending beyond July 1, 2010. This bill would require the commission report to the Legislature annually on the progress of the reorganization.

By requiring school districts with specified pupil enrollment to reorganize, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

- 1 SECTION 1. Article 1.5 (commencing with Section 35715) is
- 2 added to Chapter 4 of Part 21 of the Education Code, to read:

Article 1.5. Reorganization of School Districts Enrolling
500,000 Pupils

35715. Notwithstanding any other provision of law, a unified school district that, on January 1, 2006, has an annual enrollment of more than 500,000 pupils shall be reorganized by July 1, 2010, into several school districts, with each new school district having an annual enrollment of no more than 50,000 pupils.

35716. (a) A unified school district that is reorganizing pursuant to Section 35715 shall establish a school district reorganization commission with broad representation and plenary authority to develop a reorganization plan.

(b) The school district reorganization commission shall be composed of nine members as follows:

(1) The mayor of each city having more than 10,000 pupils in the existing district.

(2) The Superintendent.

(3) A professor of education from a California university selected by the members of the commission listed in paragraphs (1) and (2).

(4) Other individuals selected by the members of the commission listed in paragraphs (1) to (3), inclusive, to provide balanced community representation.

(c) The annual budget for the commission shall not exceed a fixed amount and shall be funded out of the administrative budget for the existing school district, without reducing funds used for classroom education.

35717. The plan of reorganization developed by the school district reorganization commission formed pursuant to Section 35716 shall demonstrate all of the following:

(a) The new school districts shall, to the greatest extent possible, maintain geographic compactness and community identity.

(b) The real and personal property, facilities, and obligations of the existing school district shall be equitably divided.

(c) Any increase in state costs after the reorganization shall be insignificant and otherwise incidental to the reorganization.

(d) The reorganization maintains, to the greatest extent possible, the ability of the new districts to educate pupils in an

1 environment free of racial or ethnic discrimination, and complies
2 with constitutional protections against segregation.

3 (e) The reorganization shall continue to promote sound
4 education performance and shall not significantly disrupt the
5 educational programs during the reorganization.

6 (f) Any increase in school facilities costs after the
7 reorganization shall be insignificant and otherwise incidental to
8 the reorganization.

9 (g) The reorganization shall promote sound fiscal management
10 and shall not significantly diminish the fiscal integrity of the new
11 districts.

12 (h) Each city within the boundaries of the existing school
13 district has been notified that the reorganization is in progress
14 and that it has the right to establish a new school district within
15 its territorial jurisdiction as part of the reorganization.

16 35718. Administrative costs as a percentage of total funding
17 for each new school district shall not exceed the percentage of
18 total funding spent for that purpose in the existing school district
19 two years before the reorganization became effective.

20 35718.5. A pupil from a unified school district that is
21 reorganized pursuant to this article may attend a school in any of
22 the new school districts if there is space available in the school
23 for the pupil.

24 35719. A unified school district that is required to reorganize
25 pursuant to this article may not enter into any contract with terms
26 that extend beyond July 1, 2010.

27 35719.5. A unified school district that is required to
28 reorganize pursuant to this article shall report to the Legislature
29 annually on the reorganization process, development of a
30 reorganization plan, and the implementation of the reorganization
31 plan.

32 SEC. 2. If the Commission on State Mandates determines that
33 this act contains costs mandated by the state, reimbursement to
34 local agencies and school districts for those costs shall be made
35 pursuant to Part 7 (commencing with Section 17500) of Division
36 4 of Title 2 of the Government Code.